



Docket: 1583 CIP II CON III (203-654 CIP II CON III)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Bennett et al.

EXAMINER: David J. Buttner

SERIAL No.: 10/630,945

GROUP: Art Unit: 1712

FILED: July 30, 2003

DATED: January 9, 2006

TITLE: **BIOABSORBABLE BRANCHED  
POLYMERS CONTAINING UNITS  
DERIVED FROM DIOXANONE AND  
MEDICAL/SURGICAL DEVICES  
MANUFACTURED THEREFROM**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO/SB/08A is brought to the attention of the Examiner. Copies of the U.S. patent documents are not provided in accordance with the waiver of that requirement under 37 C.F.R. §1.98.

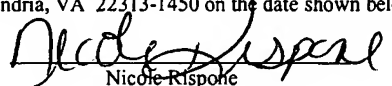
The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Dated: January 9, 2006

  
Nicole Rispoli

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.

☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.

☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action after the filing of a Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).

☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(2).

☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))

☐ Please charge the \$130.00 petition fee to Deposit Account No. 21-0550.

☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).

☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 21-0550.

☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script that reads "Michael R. Brew". The signature is written in dark ink and is positioned above a horizontal line.

Michael R. Brew  
Reg. No. 43,513  
Attorney for Applicant(s)

***Carter, DeLuca, Farrell & Schmidt, LLP***  
445 Broad Hollow Road - Suite 225  
Melville, New York 11747  
Tel.: (631) 501-5700  
Fax: (631) 501-3526  
MRB/nr

Publication form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

Application Number	10/630,945
Filing Date	July 30, 2003
First Named Inventor	Bennett et al.
Art Unit	1712
Examiner Name	David J. Buttner
Attorney Docket Number	1583 CIP11 CON111 (203-654 CIP11 CON111)

**U.S. PATENT DOCUMENTS WITHOUT REFERENCES**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		2,890,208	6/9/1959	Young et al.	
		2,990,379	6/27/1961	Young et al.	
		3,169,945	2/16/1965	Hostettler, et al.	
		3,645,941	2/29/1972	Snapp, et al.	
		3,666,724	5/30/1972	Hostettler	
		3,741,941	6/26/1973	Ashe	
		3,795,701	3/5/1974	Jenkins et al.	
		3,912,692	10/14/1975	Casey et al.	
		4,080,969	3/28/1978	Casey et al.	
		4,118,470	10/3/1978	Casey et al.	
		4,503,216	3/5/1985	Fagerburg et al.	
		4,632,975	12/30/1986	Cornell et al.	
		4,655,777	4/7/1987	Dunn et al.	
		4,663,429	5/5/1987	Murai et al.	
		4,698,375	10/6/1987	Dorman et al.	
		4,804,691	2/14/1989	English et al.	
		4,822,685	4/18/1989	Perez et al.	
		4,829,099	5/9/1989	Fuller et al.	
		5,173,301	12/22/1992	Itoh et al.	
		5,225,521	7/6/1993	Spinu	
		5,266,323	11/30/1993	Guthrie et al.	
		5,290,853	3/1/1994	Regan, deceased et al.	
		5,334,626	8/2/1994	Lin	

**FOREIGN PATENT DOCUMENTS WITH REFERENCES**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Number	Publication Date MM-DD-YYYY	Country	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		0 159 036	10-23-1985	EPO		
		0 390 481	03-27-1990	EPO		
		0 727 230	08-21-1996	EPO		
		0 482 467	04-29-1992	EPO		
		0 693 294	01-24-1996	EPO		
		1351368	12-30-1963	France		
		887180	1-17-1962	United Kingdom		
		89/05830	06-29-1989	WIPO		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2

of 2

**Complete if Known**

Application Number	10/630,945
Filing Date	July 30, 2003
First Named Inventor	Bennett et al.
Art Unit	1712
Examiner Name	David J. Buttner
Attorney Docket Number	1583 CIPII CONIII (203-654 CIPII CONIII)

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		STOREY et al. "Bioabsorbable Composites. II: Nontoxic L-lysine-Based Poly(ester-urethane) Matrix Composites," <i>Polymer Composites</i> 2/1993, Vol 14, 1, pp. 17-25.	
		STOREY et al. "Poly (Caprolactone-co-D,L-Lactide) Bioabsorbable Prepolymers and Networks: Synthesis, Characterization, and Degradation" <i>Polymer Preprints</i> 33 (2) p. 448-449 8/1992.	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.